



04/27/06

JFW/BK

EXPRESS MAIL CERTIFICATE

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Date of Deposit: April 26, 2006

Type of Document(s):  
Transmittal Form;  
Fee Transmittal Form (in duplicate);  
Statement Under 37 C.F.R. § 1.97(e);  
Supplemental Information Disclosure Statement  
(in duplicate);  
Information Disclosure Statement by Applicant  
(PTO/SB/08b);  
Copy of Office Action from U.S. 10/429,000  
dated February 22, 2006;  
PTO Form 2038, Credit Card Payment Form, in the  
amount of \$180.00; and  
Return Postcard

Serial No.: 10/022,016

Date Filed: December 13, 2001

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Laura J. Smith

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 <small>(To be used for all correspondence after initial filing)</small>		Application Number	10/022,016
		Filing Date	December 13, 2001
		First Named Inventor	Thomas, Timothy F.
		Art Unit	3728
		Examiner Name	Pickett, John G.
Total Number of Pages in This Submission	18	Attorney Docket Number	00568/300308

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <small>(please identify below):</small> Express Mail Certificate-EV740588133US; Statement Under 37 C.F.R. Sec. 1.97(e); Information Disclosure Statement By Applicant (PTO/SB/08b); Copy of Office Action from U.S. 10/429,000 dated February 22, 2006; PTO Form 2038, Credit Card Payment Form, in the amount of \$180.00; and Return Postcard	
			<b>Remarks</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Kilpatrick Stockton LLP		
Signature			
Printed Name	J. Jason Link		
Date	April 26, 2006	Reg. No.	44,874

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature		
Typed or printed name		Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<i>RE</i> <small>Reps pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</small> <b>FEE TRANSMITTAL</b> <b>for FY 2006</b>		<b>Complete If Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/022,016
		Filing Date	December 13, 2001
		First Named Inventor	Thomas, Timothy F.
<b>TOTAL AMOUNT OF PAYMENT</b> (\$)		Examiner Name	Pickett, John G.
(\$)		Art Unit	3728
180.00		Attorney Docket No.	00568/300308

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) : \_\_\_\_\_

Deposit Account Deposit Account Number: 16-1435 Deposit Account Name: Kilpatrick Stockton LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments
- Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEES CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<b>Application Type</b>	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Small Entity</b>	
				<b>Fee (\$)</b>	<b>Fee (\$)</b>
-20 or HP=	x	=	_____	50	25

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	
				<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP=	x	=	_____	_____	_____

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x	_____	_____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : 180.00-Supplemental IDS \_\_\_\_\_ 180.00

**SUBMITTED BY**

Signature	<i>J. Jason Link</i>	Registration No. (Attorney/Agent)	44,874	Telephone	336/607-7300
Name (Print/Type)	J. Jason Link	Date	<i>April 26, 2006</i>		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Express Mail No. EV 740 588 133 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Thomas et al.  
Serial No. : 10/022,016  
For : **Dual-Lid Cigarette Container and**  
**Method of Packaging Cigarettes**  
Filed : December 13, 2001  
Examiner : Pickett, John G.  
Art Unit : 3728

Mail Stop Issue Fee  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

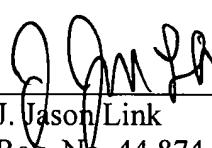
**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

This Statement under 37 C.F.R. § 1.97(e) is being made for the Supplemental Information Disclosure Statement filed herewith.

Pursuant to 37 C.F.R. § 1.97(e)(2), I hereby state that no item of information in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of the Supplemental Information Disclosure Statement.

Respectfully submitted,

April 26, 2006  
Date

  
J. Jason Link  
Reg. No. 44,874

Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
(336) 607-7300

9285536.1



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of : Thomas et al.  
 Serial No. : 10/022,016  
 For : **Dual-Lid Cigarette Container and**  
**Method of Packaging Cigarettes**  
 Filed : December 13, 2001  
 Examiner : Pickett, John G.  
 Art Unit : 3728

Mail Stop Issue Fee  
 Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

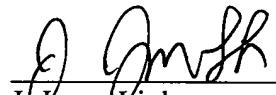
Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants submit herewith on Form SB/08b a listing of a non patent literature document known to the Applicants and/or their attorney. Applicants respectfully request consideration of the cited document and making the same of record in the prosecution of the above-identified application. In doing so, Applicants do not waive any rights to take appropriate action to establish patentability over the listed document should it be applied as a reference against the claims of the present application. A copy of the listed Office Action is enclosed.

This Supplemental Information Disclosure Statement is being submitted subsequent to the mailing of a Notice of Allowance in the application. Pursuant to 37 C.F.R. § 1.97(d), Applicants have included herewith the fee set forth in § 1.17(p) and a Statement under 37 C.F.R. § 1.97(e).

Applicants have enclosed the filing fee of \$180.00 for payment of the fee set forth in § 1.17(p). Should any additional fees be due, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1435. A duplicate of this sheet is attached for that purpose.

Respectfully submitted,

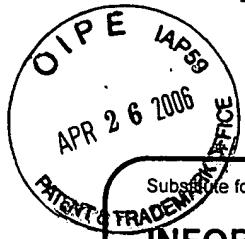
April 26, 2006  
Date

  
\_\_\_\_\_  
J. Jason Link  
Reg. No. 44,874

Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
(336) 607-7300

9285486.1

Express Mail No.: EV 740 588 133 US



PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through 07/06/2006. GPO 2001-090

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~~Substitute for form 1449B/PTO~~

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

<p><b>TRADEMARK</b></p> <p>Substitute for form 1449B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(Use as many sheets as necessary)</p>		<b>Complete if Known</b>	
		<i>Application Number</i>	10/022,016
		<i>Filing Date</i>	December 13, 2001
		<i>First Named Inventor</i>	Thomas, Timothy F.
		<i>Art Unit</i>	3728
		<i>Examiner Name</i>	Pickett, John G.
		<i>Attorney Docket Number</i>	00568/300308
Sheet	1	of	1

## NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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